

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

THE UNITED STATES OF AMERICA, *ex*
rel., JOHN DOE,

Plaintiff,

v.

COMMERZBANK AG; COMMERZBANK
AG, NEW YORK BRANCH;
COMMERZBANK AG, GRAND CAYMAN
BRANCH; and COMMERZBANK AG,
LUXEMBOURG BRANCH,

Defendants.

**USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 03/11/2015**

13 Civ. 8095 (JMF)

ORDER

The United States of America (the “Government”) having now declined to intervene pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B), with respect to the claims raised in the Complaint and the Amended Complaint filed by the relator in the above-captioned action;

IT IS ORDERED THAT:

1. The Complaint and the Amended Complaint shall be unsealed upon entry of this Order; and, in the event that relator has not moved to dismiss this action, service upon defendants by the relator is authorized as of that date.

2. Except for this Order, the Complaint (which is located in sealed records envelope number one — the other documents in that envelope shall *not* be unsealed), the Amended Complaint (which is located in sealed records envelope number four), and the Notice of Decision to Decline Intervention, all other contents of the Court’s file in this action shall remain under seal and not be made public or served upon the defendants.

3. Upon the unsealing of the Complaint and the Amended Complaint, the seal shall be lifted as to all matters occurring in this action subsequent to the date of this Order.

4. The parties shall serve all pleadings and motions filed in this matter, including supporting memoranda, upon the Government. The Government may order any

transcripts of depositions. The Government may seek to intervene with respect to the allegations in the relator's Complaint and Amended Complaint, for good cause, at any time.

5. All further orders of this Court in this matter shall be sent to the Government by relator.

6. Should the relator or the defendants propose that the Amended Complaint or any of its allegations be dismissed, settled, or otherwise discontinued, or that the defendants be dismissed from the case, the moving party (or parties) must solicit the written consent of the Government before applying for Court approval.

Dated: March 11, 2015
New York, New York



JESSE M. FURMAN
United States District Judge

